

## REMARKS

In the Official Action mailed on **June 16, 2004** the Examiner reviewed claims 1-25. Claims 2, 9, 13, and 16 were objected to because of informalities. Claims 1-25 should replace “HDL” with “hardware description language.” Claims 2-23 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1-25 were rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. Claims 1-25 were rejected under 35 U.S.C. §102(e) as being anticipated by Davis et al. (USPN 6,230,307, hereinafter “Davis”).

### Objections to and Rejections of the claims

Claims 1-25 were objected to because of informalities. Claims 2-23 were rejected as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1-25 were rejected because the claimed invention is directed to non-statutory subject matter. Claims 1-25 were rejected as being anticipated by Davis. Applicant respectfully points out that Davis teaches a system and method for **programming hardware** which includes field programmable gate arrays and related reconfigurable resources (see Davis, Abstract).

In contrast, the present invention discloses a method and apparatus for **creating a simulation system** that includes hardware descriptions and computer code (see page 4, lines 3-23 of the instant application). Creating a simulation system that operates entirely in a software program is different than programming real hardware, such as field programmable gate arrays. The simulation system of the present invention provides the ability to simulate all or parts of a new hardware system while providing executable computer code to replace parts of the

hardware system that have not been designed yet or which are known to be correct.

Accordingly, Applicant has canceled claims 1-25 and entered new claims 26-50 to clarify that the present invention provides a method and apparatus for creating a simulation system that includes hardware descriptions and computer code and to address the objections and rejections cited by the Examiner.

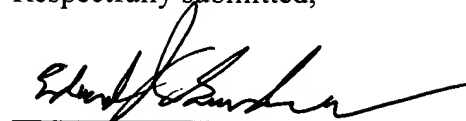
Hence, Applicant respectfully submits that independent claims 26, 35, and 43 are in condition for allowance. Applicant also submits that claims 27-34, which depend upon claim 26, claims 36-42, which depend upon claim 35, and claims 44-50, which depend upon claim 43, are for the same reasons in condition for allowance and for reasons of the unique combinations recited in such claims.

**CONCLUSION**

It is submitted that the present application is presently in form for allowance. Such action is respectfully requested.

Respectfully submitted,

By



Edward J. Grundler  
Registration No. 47,615

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Edward J. Grundler  
PARK, VAUGHAN & FLEMING LLP  
508 Second Street, Suite 201  
Davis, CA 95616-4692  
Tel: (530) 759-1663  
FAX: (530) 759-1665